

United States District Court

for the

DISTRICT OF MINNESOTA

United States v. Michael Joseph Crosby

Docket No. 0864 0:11CR00134-001 & 13CR00091 (MJD)

Petition on Supervised Release

COMES NOW **Justin D. Harding**, U.S. PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of **Michael Joseph Crosby** who was sentenced for Count 15: Aiding and Abetting Wire Fraud and Count 26: Income Tax Evasion on February 17, 2012, by the Honorable Michael J. Davis, who fixed the period of supervision at 3 years supervised release, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Maintain employment
- Provide financial information
- No new credit
- No fiduciary responsibilities related to employment
- Abstain from alcohol; Do not frequent establishments whose primary business is sale of alcoholic beverages
- Substance abuse programming and testing
- Restitution in the amount of \$26,489,781.95

On March 28, 2014, Mr. Crosby was sentenced for Count I: Escape in Docket No. 0864 0:13CR00091, by the Honorable Susan Richard Nelson, who fixed the period of supervision at 3 years supervised release, and imposed the same general terms and conditions as noted in file 0:11CR00134.

On April 6, 2020, the Honorable Michael J. Davis amended the sentence to time served in both files and the following was ordered:

- The defendant shall be released from custody as soon as a release plan is implemented, travel arrangements can be made, and any application quarantine period in light of the COVID pandemic has been completed.
- The defendant shall reside with his mother, pursuant to electronic monitoring, voice verification, or other monitoring protocol at the discretion of the Probation Office. Mr. Crosby is allowed to leave only for medical appointments or for travel approved in advance. The defendant is prohibited from having any contact, direct or indirect, with the victims related to his case.
- The United States Probation Office for the District of Minnesota is directed to conduct an investigation and recommend conditions for the defendant's ongoing supervision to the Court.

On April 9, 2020, the investigation was completed, and Mr. Crosby was released.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Crosby has been on location monitoring with voice verification equipment since April 14, 2020, and has had no violations. He continues to live with his 93-year-old mother in a residence located in Richfield, Minnesota. Mr. Crosby has been provided a bus pass for transportation as he has been unable to obtain a driver's license due to COVID-19 and the back log of people scheduling a driver's test. Mr. Crosby continues to try and address his physical health concerns in the community but was recently notified that he has a cancerous growth on his back. He was scheduled for emergency surgery on Friday, June 19, 2020. He continues to struggle to get the Part B of his health insurance approved which covers the expenses of surgeries. Mr. Crosby was referred right away to our Community Intervention Team which has been assisting him with this issue. The undersigned will note that Mr. Crosby is in frequent contact with probation and is always updating us as we continue to assist with his successful transition back into the community.

Based on the defendant's physical health concerns and compliance with location monitoring the past two months, it is respectfully recommended the condition imposing location monitoring be suspended. The defendant will continue to be supervised closely via home and community contacts. Should Mr. Crosby's compliance change, the condition will be activated, and voice verification location monitoring will recommence.

The undersigned officer discussed this proposed modification with Katharine Buzicky, Assistant U.S. Attorney. She does not object to the suspension of the location monitoring condition.

PRAYING THAT THE COURT WILL ORDER:

That the defendant's condition requiring location monitoring be suspended.

ORDER OF THE COURT

Considered and ordered this 23rd day of June 2020, and ordered filed and made a part of the records in the above case.

s/ Michael J. Davis
Honorable Michael J. Davis
Senior U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

s/ Justin D. Harding
Justin D. Harding
U.S. Probation Officer
Telephone: 651-848-1262

Executed on June 22, 2020
Place St Paul

Approved:

s/Michael J. Schmidt
Michael J. Schmidt
Supervising U.S. Probation Officer
Telephone: 651-848-1240